



## REQUEST FOR COUNCIL ACTION

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**MEETING DATE:** April 17, 2023  
**PREPARED BY:** Administration  
**AGENDA ITEM:** Prohibited exhibition driving and street racing – Ordinance No. 23-07

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**PREVIOUS ACTIONS:**

None

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**RECOMMENDED COUNCIL ACTION:**

Motion to approve Ordinance No. 23-07 amending City Code Article II – Operation of vehicles, Section 32-32 Prohibited exhibition driving of motor vehicles and motorcycles, street takeovers, and street racing.

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**COMMENTS:**

**Background of street racing problem**

Street racing has become a visible and serious problem for the Twin Cities metro-area and across the state for the past several years. Maple Grove has experienced this problem with smaller groups and two incidents with larger groups in an industrial area. Law enforcement have attempted to prevent this activity within their own cities or developing multi-jurisdictional task forces to respond to street racing activity within current state statutes or ordinances. Street racing involves a wide-variety of activity to include smaller groups engaged in dangerous driving activity through local municipalities to larger groups taking over intersections or larger sections of streets. In addition to the dangerous driving conduct, street racing activity includes individuals involved in drugs, gangs, weapons offenses, use of commercial grade fireworks, and out-of-state actors. There is a serious risk to the general public with street racing activity; and specifically, with those involved being seriously injured or killed.

Police and city prosecution staff are recommending amendments to current city ordinance to include language that prohibits vehicles, drivers, and spectators from being involved in street racing. City Prosecutor Andrew Draper developed the proposed ordinance as detailed in his memorandum to Police Chief Eric Werner on December 19, 2022 (See Attachment A). Mr. Draper also provided background information supporting the proposed ordinance changes as detailed in his memorandum to City Administrator Heidi Nelson and Police Chief Eric Werner dated January 26, 2023 (see Attachment B). The ordinance changes are the most effective way for our city to address the street racing problem, while state legislative changes are developed and implemented.

## Statewide work and proposed legislation

The Metro Cities Association of Metropolitan Municipalities<sup>1</sup> convened a Street Racing Work Group from December 2021 through July 2022. The purpose of the group “will provide a chance for cities to hear from one another and identify viable local, regional, or state solutions to this problem. Based on the discussion and local experiences, this group will be asked to consider what, if any, legislative action can be recommended to address this problem.”<sup>2</sup>

The work group included police chiefs, public works leaders, mayors, city council members, city administrators/managers, and other staff from local municipalities. The group heard expert presentations from the Minnesota State Patrol and the Minnesota Bureau of Criminal Apprehension criminal intelligence analysts who provided high-level information on the issue of hot rodding/street racing in the metropolitan region. The group reviewed state statutes from across the county and resource material from the United States Department of Justice Community Oriented Police Services (COPS) Office.<sup>3</sup>

The work group recommended changes to Minnesota’s current reckless driving statute to address the specific behavior associated with street racing. The proposed legislative changes recommend inclusion of funding for the Minnesota State Patrol Flight Section. Air support has proven beneficial to local agencies across the state in their response to street racing and suspects fleeing police. Minnesota State Patrol staff stated the flight section needs additional resources. Metro Cities Executive Director Patricia Nauman, City Administrator Heidi Nelson, and Police Chief Eric Werner worked with Maple Grove Senator Limmer to introduce [S.F. 4584](#)<sup>4</sup> to make the recommended statute changes. A companion bill was introduced in the Minnesota House, [H.F. 4870](#)<sup>5</sup>, which was authored by Representative Brian Johnson.

Unfortunately, no action was taken on either bill during the 2021 – 2022 legislative session. Staff continues to work with Metro Cities staff to seek state legislation regarding this issue.

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## ATTACHMENTS:

Attachment A – Ordinance No. 23-07

Attachment B – Summary of Ordinance No. 23-07

Attachment C – Minnesota Court of Appeals decision

Attachment D – Prosecuting Attorney Andrew Draper memo dated January 26, 2023

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<sup>1</sup> [Home \(metrocitiesmn.org\)](http://metrocitiesmn.org)

<sup>2</sup> Lund, Mike. Metro Cities Government Relations Specialist. (2021, November 23). Memorandum to Metro Cities Racing Work Group.

<sup>3</sup> Peak, K. and Glens or, R. (2004, December). U.S. Department of Justice Office of Community Oriented Policing Services. Problem-Oriented Guides for Police Problem-Specific Guides Series Guide No. 28 Street Racing. Available: [https://popcenter.asu.edu/sites/default/files/street\\_racing.pdf](https://popcenter.asu.edu/sites/default/files/street_racing.pdf)

<sup>4</sup> S.F. 4584. Co-authored by Minnesota Senators Warren Limmer and Bill Ingebrigsten. 92<sup>nd</sup> Legislature, 2021 – 2022.

<sup>5</sup> H.F. 4870. Authored by Minnesota Representative Brian Johnson. 92<sup>nd</sup> Legislature, 2021 – 2022.